



**CITY OF AUBURN
PUBLIC WORKS COMMITTEE**

January 19, 2010

DRAFT MINUTES

I. CALL TO ORDER

Chairman Rich Wagner called the meeting to order at 3:30 p.m. in Council Chambers, located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, Washington. Committee members present were: Chairman Rich Wagner, Vice-Chair Sue Singer, and Member Bill Peloza. Also present during the meeting were: Public Works Director Dennis Dowdy, City Engineer/Assistant Director Dennis Selle, Assistant City Engineer Ingrid Gaub, Utilities Engineer Dan Repp, Engineering Aide Amber Mund, Project Engineer Jacob Sweeting, Traffic Engineer Pablo Para, Storm Drainage Engineer Tim Carlaw, Sanitary Sewer Engineer Robert Elwell, Government Relations Manager Carolyn Robertson, Assistant City Attorney Steven Gross, Transportation Planner/Grants Manager Chris Hankins, Interim Planning Director Kevin Snyder, Senior Planner Chris Andersen, Street System Engineer Seth Wickstrom, Brian Winslow from Boeing, Jennifer Wynhoop from Landau Associates, Citizen Wayne Osborne, and Department Secretary Jennifer Rigsby.

II. EXECUTIVE SESSION

Chairman Wagner called an Executive Session at 3:32 p.m., to discuss a pending and potential litigation pursuant to RCW 42.30.110(1)I. The session will be approximately 15 minutes in length.

Assistant City Attorney Gross extended the session an additional 15 minutes.

The Committee reconvened at 4:03 p.m.

III. CONSENT AGENDA

A. APPROVAL OF MINUTES

It was moved by Vice-Chair Singer, seconded by Member Peloza, that the Committee approve the Public Works Committee Meeting minutes for date, January 4, 2010.

Motion carried 3-0.

B. RIGHT-OF-WAY USE PERMIT NO. 09-45 FOR BOEING MONITORING WELL

Engineering Aide Mund explained that the Boeing Company applied for a 5 year term Right-of-Way Use permit for monitoring a well on Industry Drive SW, near the intersection of 15th Street SW. Chairman Wagner asked if there are any traffic concerns. Mund answered there is no impact on traffic. Member Peloza asked for what purpose is the well being monitored. Mund responded that the Boeing Company is conducting an investigation of off-site groundwater impacts.

It was moved by Vice-Chair Singer, seconded by Member Pelozza, that the Committee approve Right-of-Way Use Permit No. 09-45 for the Boeing Company Monitoring Well.

Motion carried 3-0.

C. PERMISSION TO ADVERTISE FOR BIDS FOR PROJECT NO. CP0817, 2009 SEWER AND STORM STATION REPLACEMENT – PHASE A, DOGWOOD SEWER STATION

Project Engineer Sweeting confirmed that the project is part of the Capital Improvement Plan and was included in the utility rate study, following questions asked by Chairman Wagner.

Chairman Wagner asked for the reason for the project phasing. Sweeting responded that there are three separate pump stations that are part of the project. All three pump stations are at different phases of design and have different considerations. The project is phased so staff can move forward with the stations that are at the conclusion of the design stage.

Project Engineer Sweeting answered questions asked by Member Pelozza regarding the detour route and access to the cemetery as well as residents.

Chairman Wagner asked if the Muckleshoot Indian Tribe (MIT) was requiring that there be an archeologist on-site. Sweeting answered there was no requirement to have a tribal representative on-site and that requirement would have come out during the SEPA process. This project is SEPA exempt because it is a replacement of an existing station and excavation will only be in areas that were disturbed during construction of the existing station. Assistant City Engineer Gaub stated that as part of the City's standard contract language, there are instructions as to what the contractor must do if archeological artifacts are discovered. The Committee requested staff consult with the MIT regarding the excavation. Assistant Director/City Engineer Selle stated the tribe is aware of the project and staff will notify them, again, of the project scope.

It was moved by Vice-Chair Singer, seconded by Member Pelozza, that the Committee grant permission to advertise for bids for Project No. CP0817, 2009 Sewer and Storm Station Replacement – Phase A, Dogwood Sewer Station, with the contingency that staff consult with the Muckleshoot Indian Tribe regarding the archeological issue.

Motion carried 3-0.

D. APPROVE FINAL PAY ESTIMATE NO. 4 TO CONTRACT NO. 09-06 IN THE AMOUNT OF \$135,955.02 FOR A TOTAL CONTACT PRICE OF \$1,424,084.06 WITH TITAN EARTHWORK LLC, AND ACCEPT CONSTRUCTION OF PROJECT NO. CP0611 – M STREET NE/HARVEY ROAD AND 8TH STREET NE STREET IMPROVEMENTS

The Committee commended Project Engineer Sweeting for the management of the project.

Project Engineer Sweeting answered questions asked by Member Pelozza regarding an area of K Street NE, where work is continuing on the sewer main as part of the 2007 Sewer Repair and Replacement Project. Assistant City Engineer Gaub stated there is also a sinkhole in that location and a street light is being relocated as well.

It was moved by Vice-Chair Singer, seconded by Member Peloza, that the Committee recommend Council approve Final Pay Estimate No. 4 to Contract No. 09-06 and accept construction of Project No. CP0611, M Street NE/Harvey Road and 8th Street NE Street Improvements.

Motion carried 3-0.

- E. APPROVE FINAL PAY ESTIMATE NO. 3 TO CONTRACT NO. 09-13 IN THE AMOUNT OF \$140,345.39 FOR A TOTAL CONTRACT PRICE OF \$261, 604.27 WITH REED TRUCKING AND EXCAVATING AND ACCEPT CONSTRUCTION OF PROJECT NO. CP0767 – MOHAWK PLASTICS WETLAND MITIGATION IMPROVEMENTS

Assistant City Engineer Gaub answered questions asked by Chairman Wagner regarding the total contract price and the project budget.

Vice-Chair Singer asked if there will be public access to the area. Gaub answered that currently, due to the Army Corps of Engineers' permit requirements; there will be no public access.

Assistant City Engineer Gaub responded to questions asked by Chairman Wagner regarding the bid tab. Chairman Wagner commented on the expense of the temporary irrigation system. Gaub explained that the irrigation system is needed to help the plants establish at the project site. If the initial establishment is done well, it will reduce the amount of maintenance required in the future and there is a 10 year monitoring period required for this site.

Gaub explained the permitting process and consultant costs for the project, following questions asked by Chairman Wagner. Gaub spoke about the anticipated environmental costs for the A/B Corridor Project.

Member Peloza asked about the cost incurred by Mohawk Plastics for mitigation compared to the cost to the City. Chairman Wagner stated that, as a private party, their cost was probably less than the City would have paid due to the public bidding process but that the City saved money overall through this cooperative agreement. Gaub stated as part of the settlement agreement with Mohawk Plastics, it was agreed that the City would complete the wetland mitigation.

It was moved by Vice-Chair Singer, seconded by Member Peloza, that the Committee recommend Council approve Final Pay Estimate No. 3 to Contract No. 09-13 and accept construction of Project No. CP0967, Mohawk Plastics Wetland Mitigation Improvements.

Motion carried 3-0.

IV. ISSUES

- A. ORDINANCE NO. 6257 AMENDING SECTION 10.36.270 OF THE AUBURN CITY CODE, RELATING TO STOPPING, STANDING, AND PARKING

Transportation Planner/Grants Manager Hankins stated changes to the definitions in the ordinance were made and the revised ordinance was presented to the Municipal Services Committee for discussion.

Vice-Chair Singer said that she has been under the impression the residents of the neighborhoods, to which the ordinance would apply, did not want parking on the landscape strips but she had recently been notified that residents have been parking on the landscape strips for many years. Transportation Planner/Grants Manager Hankins reminded the Committee that there is currently no City Code against parking on the landscape strips because it was decided in August 2009 that until action was taken regarding parking on the landscape strips, parking would be allowed.

Chairman Wagner said he had visited L Street on a Saturday and there were many cars parked on the landscape strip and that the Committee may want to consider allowing parking. The Committee and staff discussed allowing for Right-of-Way Use permits to be issued to property owners versus allowing parking on one side of the street, to accommodate the residents' parking needs. Assistant Director/City Engineer Selle stated, based on neighborhood feedback, staff had reviewed allowing on-street parking on one side of the street. Selle stated staff could go back and review the possibility of allowing parking in the landscape area via the Right-of-Way Use permit process; however it would be labor intensive, i.e. areas that allowed for parking would need to be signed, each property would need to be inspected, etc.

Member Pelosa asked if the individual streets, with landscape strips, on which parking could be allowed could be identified specifically in City Code. Chairman Wagner pointed out that the issuance of a Right-of-Way Use permit would require property owners to improve the landscape strip, making it appropriate for parking.

The Committee and staff discussed the events that lead to parking ticket complaints from the neighborhoods, bringing the issue of parking on landscape strips to staff's attention.

Director Dowdy suggested that Council may want to consider exempting certain streets in question, from the parking ordinance which prohibits parking on a landscape strip based upon the test period results. Member Pelosa was in favor of the recommendation. The Committee and staff discussed the difficulty of preventing parking that may be unwanted by property owners. Member Pelosa asked how many streets might be exempted from the parking ordinance. Hankins answered, four. Assistant Director/City Engineer Selle stated that in lieu of allowing parking on the landscape strips to be permitted action via a right-of-way use permit, that the Committee considers allowing such parking to be exempt. Then, only on an as needed basis, staff could take code enforcement action to insure such parking was being done without creating a nuisance to the City or neighborhood. Also, only on an as needed basis, for example potential damage to utility infrastructure due to parking, "No Parking" signs could be installed.

Staff and the Committee discussed the stipulations and conditions that would apply to the exemption.

Transportation Planner/Grants Manager Hankins will make the recommended revisions to the ordinance and bring it back to the Committee with a list of the streets to be considered for exemption.

There was no action taken by the Committee on Ordinance No. 6257.

B. ORDINANCE NO. 6286 AMENDING SECTIONS 13.06.360, 134.20.440, AND 13.48.100 OF THE AUBURN CITY CODE RELATING TO UTILITY RATES

Utilities Engineer Repp presented Ordinance No. 6286 to the Committee.

Vice-Chair Singer asked for estimated figures of how much the increase will be for single-family homes to assist in the discussion of the rate increases with the Committee's constituents.

Repp answered questions asked by Member Pelosa regarding the matrix included on the agenda bill, outlining the annual rate increase.

It was moved by Vice-Chair Singer, seconded by Member Pelosa, that the Committee recommend Council adopt Ordinance No. 6286.

Motion carried 3-0.

V. DISCUSSION AND INFORMATION

A. ORDINANCE NO. 6290 AMENDING CHAPTER 2.45 OF THE AUBURN CITY CODE RELATING TO THE PLANNING COMMISSION

Interim Planning Director Snyder was present. Vice-Chair Singer asked if a request from the Planning Commission prompted the code amendment. Snyder answered that the code amendment was prompted by the Mayor and by what is being done in other jurisdictions.

Snyder spoke about the selection process of choosing the youth representative for the Planning Commission to the Committee.

The Committee was in support of adopting Ordinance No. 6290.

B. RESOLUTION NO. 4558 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUBURN AND THE DEPARTMENT OF THE ARMY FOR DESIGN OF THE MILL CREEK WETLAND 5K RESTORATION PROJECT

Senior Planner Andersen explained that Resolution No. 4558 authorized the agreement with the Army Corps of Engineers for the design of the Mill Creek Wetland 5K Restoration Project. Andersen provided some background information regarding the agreement, discussing how the nature of the project had changed and how the agreement had been postponed due to lack of Federal funding. Andersen stated in mid 2009, staff received notice that the Federal funding was expected to be approved for the project in addition to available Federal economic stimulus funds. Staff worked with the Corps to revise the project to allow for earlier construction readiness and to take advantage of the funding. In addition, funds from the King Conservation District (KCD) have also been allocated to the project.

Upon approval of the City, the agreement will be sent to the Corps for execution. Design is scheduled to go through 2010 and be completed in early 2011. The agreement for construction of the project will be a separate agreement.

Andersen stated the Planning and Community Development Committee reviewed and discussed the revised draft agreement on January 11, 2010. There were two key issues raised. One was the need to maintain a connection between the habitat restoration objectives of the project and the City's on-going stormwater and water quality efforts in the Auburn Environmental Park. Andersen said the Corps representatives report the design effort has flexibility to be able to recognize the City's efforts; however the primary objective of this particular project cannot be stormwater.

Andersen said the Committee's second concern was the need to identify the long term maintenance requirements and associated costs for the project. Andersen said the construction phase of the project includes a 10-year monitoring period and beyond that period the City would be responsible for maintenance. The goal is for there to be very little, if any, maintenance required beyond the 10-year monitoring period.

Senior Planner Andersen discussed the new review requirements for the Corps, which will occur at the major design milestones of 35% completion, 65%, and 100%.

Member Pelosa pointed out that in attachment four of the resolution, the individual referenced on page 4 and 5, Noel Gilbrough, had retired and his name should be replaced with Gordon Thomson. Andersen said the names of the individuals on the Project Development Team and Executive Committee will be verified with the Corps.

Senior Planner Andersen answered questions asked by Member Pelosa regarding the project vicinity map.

The Committee and staff discussed the history of the name "5K" but did not know where it came from.

The Committee supported the adoption of Resolution No. 4558.

C. SAVE OUR STREETS (SOS) – 2009 YEAR END REPORT

Street System Engineer Wickstrom presented the 2009 Year End Report for the Save Our Streets (SOS) Program to the Committee.

Chairman Wagner pointed out some scrivener's errors that needed to be corrected on page 4.

Traffic Engineer Para answered questions asked by Chairman Wagner regarding the requirements for wheelchair ramps being added to sidewalks.

Member Pelosa recommended rewording the figures on page 5 and 6 in order to clarify the amount of the program's remaining 2009 balance. Chairman Wagner recommended the color of the street where patching/thin overlay was completed in 2006 be changed from yellow to a color that will stand out more.

Wickstrom explained the map shows the chip seal projects that have been completed on local streets and does not include arterials, following questions asked by Chairman Wagner.

The Committee and staff discussed the street maintenance utility being discussed in the State Legislature.

D. DESIGN STANDARDS UPDATE – CHAPTER 5, GRADING

Assistant City Engineer Gaub brought the proposed revisions to Chapter 5, TESC, Clearing and Grading, of the Engineering Design Standards to the Committee for discussion. Gaub reported that as part of the NPDES Phase 2 Stormwater Permit requirements and the new Surface Water Management Manual (SWMM), staff has identified revisions to the clearing and grading standards that will need to be made to be consistent with the new requirements. Staff's intent is to complete the revisions and adopt them prior to the effective date of the SWMM, February 16, 2010.

Gaub pointed out there are notes next to the revisions that reference where the requirements being deleted are in the SWMM.

5.02.1 – Item D: Chairman Wagner asked if reducing the clearing square footage from 20,000 sq ft to 6,999 sq ft was driven by NPDES. Assistant City Engineer Gaub answered that it is and that threshold was passed with the code revisions passed at the January 4, 2010 meeting.

5.03.1: Chairman Wagner asked where the items in this section are located in the SWMM. Gaub said they are not in the SWMM because this section references the City Code section 15.74.

Chairman Wagner asked what language is in the section that would let the Hearing Examiner know to notify prospective property owners about ground stability issues. Gaub stated that staff makes the comments recommendations during the review of the platting and SEPA process of what the conditions should be on the plat to mitigate potential impacts. Gaub said that Storm Drainage Engineer Carlaw uses standard comments and conditions to address stability and the need for a geotechnical engineer if there is development in within areas or concern or critical areas. Chairman Wagner asked how the Hearing Examiner would know to include the need for a geotechnical engineer if it is not outlined in the standards. Assistant Director/City Engineer Selle recommended making a policy that is part of the Comprehensive Plan that will give better authority to set a SEPA condition or a condition on a plat when stability issues arise. Chairman Wagner asked staff to explore creating such a policy. Assistant City Engineer Gaub noted that if the land is in a known slide area or known critical area that it would fall under the requirements of the Critical Areas ordinance. The Committee and staff continued discussion about the creation of a policy that will address the Committee's concerns about notification of property owners regarding stability issues. Assistant Director/City Engineer Selle stated staff will look for the most applicable place for such a policy.

Assistant Director/City Engineer Selle answered questions regarding the requirement of the building code and the construction concrete walls in critical areas.

5.03.1 – Item K: Chairman Wagner asked if the Committee and staff feels the "period not to exceed 12 months" should be reduced due to the amount of the materials that are allowed to be stored. Assistant Director/City Engineer Selle describe how temporary stockpiling of materials is used during construction and how reduction of the time period may negatively affect construction. Gaub stated that the current code does not allow variation of these requirements, if the Committee wants to allow more flexibility from the code language, such as an administrative variance, a revision of the City Code would be needed.

Vice-Chair Singer pointed out that this item relates only to temporary stockpiling of materials for grading and not land use. Chairman Wagner said that 12 months was reasonable.

5.03.1 – Item C: Assistant City Engineer Gaub provided clarification of the 6,999 sq ft threshold for the Committee.

5.04.1 – Rockeries: Vice-Chair Singer asked why the maximum height for rockeries is being reduced from 8' to 4'. Gaub answered that a rockery over 4' requires a structural design per the building code.

Chairman Wagner asked if aesthetic requirements could be applied to retaining walls section. Assistant Director/City Engineer Selle said architectural treatment requirements could be added and gave examples.

Assistant City Engineer Gaub said staff's intention is to bring the final revisions to Chapter 5 back for Committee approval at the February 1, 2010 Public Works Committee Meeting.

5.05.1 - Requirements: Assistant City Engineer Gaub discussed the changes that can occur during construction and that the on-site requirements may also change, following questions asked by Member Peloza regarding the use of the word "adequate." Director Dowdy said staff will work on the wording.

5.05.1 – Item E: Gaub responded to questions asked by Vice-Chair Singer regarding the construction sequence that is required on the grading plan.

The Committee and staff discussed the developers' level of preparedness for the new permit requirements effective February 16, 2010.

E. STORM PERMIT FEES RELATED TO NPDES

Assistant City Engineer Gaub stated the proposed storm permit fees are for private storm systems, going in on private property and if it a public storm system is being built by a development, the fees are included in the City's existing Facilities Extension (FAC) process.

The Committee reviewed the current fees. Member Peloza asked if the current fees cover the cost to the City to issue the permits. Gaub responded the \$26 fee for a Single Family Residence would cover just the administrative costs of issuing the permit and the \$207 fee for other parcels would cover the administrative costs and approximately two inspections. Gaub explained for the proposed revisions to the fees, staff reviewed the new NPDES requirements associated with the three levels of permit types being proposed, and then estimated how much time staff would need to take for administration, review, and inspections to get the systems constructed meeting the NPDES minimum requirements.

Assistant City Engineer Gaub answered questions asked by Chairman Wagner regarding the affect NPDES will have on calculating total System Development Charge (SDC). Chairman Wagner requested further future discussion at a later time regarding SDC calculations.

The Committee and staff reviewed the proposed fee revisions. Gaub gave a description of the types of structures that may be included in Permit Level 1 and that the permit level is determined by the amount of impervious surface disturbed and/or the amount of impervious surface added. Chairman Wagner asked how many inspections are needed for a Level 1 Permit. Gaub answered that three inspections are required as a minimum for all permit levels.

The Committee and staff discussed the amount of staff time it may take to oversee and inspect the 12 Elements of a Construction Stormwater Pollution Prevention Plan, required by the NPDES II Permit process. Member Peloza asked how other jurisdictions are handling the new requirements. Assistant City Engineer Gaub answered that because the process is so new that other jurisdictions do not have well developed plans or fees in place yet to compare this proposal to. The Committee gave support for the proposed revision to the fee for a Level 1 Permit.

Assistant City Engineer Gaub explained that for the Level 2 Permits, staff estimated the additional time that will need to be spent for review of the design. Assistant City Engineer Gaub answered questions asked by Chairman Wagner regarding the size of the Stormwater Pollution Prevention Plans (SWPP). Gaub stated for a Level 2 Permit more time will be needed for design review and not necessarily inspections. The Committee gave support for the proposed revision to the fee for a Level 2 Permit.

Assistant City Engineer Gaub reviewed the formula staff developed for calculating the fee for Level 3 Permits. Gaub explained that because any development adding 5,000 sq ft and greater of impervious surface would fall under the Level 3 Permit, it is difficult to develop a flat fee. Gaub reiterated that staff tried to develop a flat fee however found that medium size project with less complexity would be paying too much and the larger and/or very complex projects would be paying too little. The Committee gave support for the proposed formula for calculating Level 3 Permit Fees.

Assistant City Engineer Gaub said the proposed fee revisions will be presented to the Planning and Community Development Committee on January 25, 2010 and brought back to the Public Works Committee, and Council, for action and adoption on February 1, 2010.

F. SLOPE EASEMENT RELINQUISHMENT FOR NORTH TAPPS ESTATES

Using an aerial map, Assistant City Engineer Gaub demonstrated to the Committee the location of North Lake Tapps Estates and the existing roadway slope easement. Gaub explained there is a slope easement that was put in place at the time Pierce County built the road because the roadway was higher than the surrounding property. Since that time, the land surrounding the road has been developed and is relatively level with the roadway. The slope easement therefore is no longer needed. Release of the easement will allow for further development of the property.

The Committee concurred to relinquishment of the easement.

G. CAPITAL PROJECT STATUS REPORT

Item 8 – CP0904 – 2009 Sidewalk Improvements: Vice-Chair Singer reported she received a complaint about the condition of the project site following completion of the sidewalk repairs. Assistant City Engineer Gaub said that she would speak to the Project Engineer regarding the complaint.

Item 13 – CP0819 – Mill Cr/Peasley Canyon Culvert Replacement: Member Peloza verified the funds for the project are coming from the Storm Fund and there are no grant funds being used for the project.

Item 20 – CP0756 – Lea Hill Pump Station Decommissioning – Phase 2: Chairman Wagner asked if the legal matter with Verdana will affect the decommissioning of the pump station. Assistant City Engineer Gaub answered if the developer wants to build homes in 2010 they would have to complete the sewer work and lift station. Assistant Director/City Engineer Selle stated construction can move forward independently of the legal matter. Gaub said in order for the developer to start building homes the lift station and sewer line must be accepted by the City.

Item 26 – CP0915 - Well 1 Improvements: In response to questions from the Committee, Gaub explained that the current level of effort on this project was to determine what needs to be

replaced or repaired for the well to begin functioning as originally intended. Once this is known, a more refined cost estimate will be developed.

The 4th page of the report will be emailed to the Committee members and includes an additional line for both the 2009 and 2010 SOS programs indicating the total amount of SOS funds.

VI. ADJOURNMENT

There being no further business to come before the Public Works Committee, the meeting was adjourned at 5:54 p.m.

Approved this _____ day of _____, 2010.

Rich Wagner
Chairman

Jennifer Rigsby
Public Works Department Secretary